

RECEIVED  
CENTRAL FAX CENTER

MAR 01 2005

## Certificate of Transmission/Mailing under 37 CFR 1.8

I hereby certify that this Petition to Revive along with the accompanying Response to Notice to File Missing Parts of Nonprovisional Application is being facsimile transmitted to the United States Patent and Trademark Office at (703) 872-9306 and is addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: March 1, 2005By: Scholar A. Mier**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****PATENT**

|             |   |                                   |              |
|-------------|---|-----------------------------------|--------------|
| Applicants: | Peter Van Der Shuis                     | Docket No.:                       | 43887.0100   |
| Serial No.: | 10/709,473                              | Examiner:                         | TBA          |
| Filed:      | May 26, 2004                            | Group Art Unit:                   | 3637         |
| Title:      | IMPROVED CRUTCH<br>APPARATUS AND METHOD | Confirmation No.:                 | 3472         |
|             |   | Mailing Date of<br>Office Action: | July 1, 2004 |

**PETITION FOR REVIVAL OF AN UNINTENTIONALLY  
ABANDONED APPLICATION PURSUANT TO  
37 C.F.R. § 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Petitioner hereby petitions the Commissioner to revive the above-referenced application and to accept a Response to Notice to File Missing Parts of Nonprovisional Application later than six months after the mailing of the Notice as though no abandonment had ever occurred, since the delay in reply to the Notice was wholly unintentional.

The above-identified application was abandoned by failure to respond to the Notice mailed on July 1, 2004. Petitioner's entire delay in responding to the Notice, from the due date until the filing of this Petition, pursuant to 37 C.F.R. 1.137(b)(3), was unintentional. Petitioner submits herewith a Response to Notice to File Missing Parts of Nonprovisional Application.

1041281.1

PAGE 2/9 \* RCVD AT 3/1/2005 4:10:04 PM [Eastern Standard Time] \* SVR:USPTO-EFAXF-1/6 \* DNS:8729306 \* CSID:602 382 6070 \* DURATION (mm:ss):02:14

03/07/2005 AKELLEY 00000006 192814 10709473  
Sale Ref: 00000007 DAH: 192814 10709473  
01 FC:2453 750.00 DA

Serial No. 09/823,410  
Docket No. 70655.7700

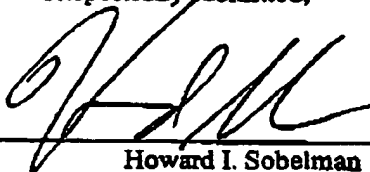
The Commissioner is hereby authorized to charge the Petition Fee, Extension Fee or deficiency, or credit any overpayment to Deposit Account No. 19-2814, for which purpose a duplicate copy of this Petition is also enclosed.

Should the Petitions Examiner wish to discuss any of the foregoing in greater detail, or deem that a telephone call would further advance this Petition, the undersigned would welcome a telephone call at the number listed below.

Respectfully submitted,

Date: March 1, 2005

By: \_\_\_\_\_



Howard I. Sobelman  
Reg. No. 39,038

**SNELL & WILMER, LLP.**  
One Arizona Center  
400 East Van Buren  
Phoenix, AZ 85004-2202  
Phone: (602) 382-6228  
Fax: (602) 382-6070  
Email: [hsobelman@swlaw.com](mailto:hsobelman@swlaw.com)